

1 KATHRYN BURKETT DICKSON (SBN: 70636)

2 kathy@dicksongeesman.com

3 EMILY A. NUGENT (SBN: 255048)

4 emily@dicksongeesman.com

5 DICKSON GEESMAN LLP

6 1999 Harrison Street, Suite 2000

7 Oakland, CA 94612

8 Tel: (510) 899-4670

9 Fax: (510) 899-4671

10 SCOTT BONAGOFISKY (SBN: 190255)

11 scott@bw-lawyers.com

12 BONAGOFISKY & WEISS

13 111 Deerwood Road, Suite 200

14 San Ramon, CA 94583

15 Tel: (925) 831-4835

16 ATTORNEYS FOR PLAINTIFFS

17 MICHAEL RUHE AND VICENTE CATALA

18 **UNITED STATES DISTRICT COURT**

19 **CENTRAL DISTRICT OF CALIFORNIA**

20 **SOUTHERN DIVISION**

21 MICHAEL RUHE, and
22 VICENTE CATALA,

23 Plaintiffs,

24 vs.

25 MASIMO CORPORATION, and DOES
26 1 to 100, inclusive,

27 Defendants.

Case No.: SACV11-734 CBM (JCGx)

**NOTICE OF MOTION TO
CONFIRM ARBITRATION
AWARD**

(9 U.S.C. §9; Cal. Code Civ. Proc.
§1285; JAMS Rule 25)

Date: March 3, 2014

Time: 1:30 p.m.

Court: Hon. Cormac Carney

1 TO DEFENDANT MASIMO CORPORATION AND ITS ATTORNEYS OF
2 RECORD:

3
4 PLEASE TAKE NOTICE that on March 3, 2014 at 1:30 p.m. or as soon as
5 the parties may be heard in the courtroom of the Honorable Cormac J. Carney of
6 the United States District Court for the Central District of California, located at
7 411 West Fourth Street, Santa Ana, California 92701, Plaintiffs Michael Ruhe and
8 Vicente Catala will move this Court for an Order confirming the Final Award in
9 the arbitration of this matter, and ordering entry of Final Judgment. This motion is
10 made following Plaintiffs' counsel's efforts pursuant to Local Rule 7-3, to meet
11 and confer with Defendant's counsel both by telephone and email communications
12 more than seven days prior to the filing of this Motion, as described in the
13 Declaration of Kathryn Dickson Supporting Motion to Confirm Arbitration
14 Award.
15

16 This motion is made pursuant to the Federal Arbitration Act, 9 U.S.C. §9;
17 the California Arbitration Act, Cal. Code Civ. Proc. §1285; and Rule 25 of the
18 rules governing employment arbitrations of the Judicial Arbitration and Mediation
19 Services (JAMS).

20 This motion is based on this notice of motion, the memorandum of points
21 and authorities and Declaration of Kathryn Dickson filed with this notice, all
22 pleadings on file in this action, and such other written and oral arguments as may
23 be presented.

24
25 DATED: January 31, 2014

DICKSON GEESMAN LLP

26
27 By: /s/ Kathryn Burkett Dickson
28 KATHRYN BURKETT DICKSON
Attorneys for Claimants